

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:10CR3055
	)	
v.	)	
	)	
NGHIA TRONG NGUYEN,	)	MEMORANDUM AND ORDER
	)	
Defendants.	)	

The defendant has moved to continue his plea hearing because he needs additional time to negotiate a plea agreement with the government. Filing No. 38. The government does not oppose the requested continuance. The court finds the motion should be granted.

Accordingly,

IT IS ORDERED:

- 1) The defendant's motion, (filing no. 38), is granted, and the defendant's change of plea hearing is continued to November 16, 2010 at 1:30 p.m.
- 2) The ends of justice served by granting defendant's request to continue his change of plea hearing outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and the anticipated plea of guilty, shall be deemed excluded in any computation of time under the requirements of the Speedy Trial Act, for the reason that defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7).

DATED this 28<sup>th</sup> day of September, 2010.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge

DATED this 28<sup>th</sup> day of September, 2010.

BY THE COURT:

*s/ Cheryl R. Zwart*  
United States Magistrate Judge